

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Anthony Williams

v.

Civil No. 12-cv-340-SM

Michael J. Astrue, Commissioner,
United States Social Security Administration

O R D E R

Pro se claimant Anthony Williams has filed an action challenging a decision of the Social Security Administration ("SSA") denying his claim for social security disability insurance, pursuant to 42 U.S.C. § 405(g). Because Williams is proceeding pro se and in forma pauperis, the matter is before the court for preliminary review. See 28 U.S.C. § 1915(e)(2); United States District Court District of New Hampshire Local Rule ("LR") 4.3(d)(1)(B).

Discussion

Williams is seeking judicial review of an adverse SSA decision on his application for social security disability benefits. Williams has complied with this court's prior order

directing him to file an amended complaint to demonstrate that he has exhausted his administrative remedies on his appeal. See Order (doc. no. 3). The amended complaint (doc. no. 4) shows that Williams filed this action within sixty days of obtaining a final decision of the SSA Commissioner on his claim and that the action is thus timely. Accordingly, this matter may proceed at this time.

Conclusion

The amended complaint (doc. no. 4) shall be served upon defendant. See Fed. R. Civ. P. 4(c)(3). The Clerk's office is directed to prepare and issue the necessary summonses and to then forward to (1) the United States Attorney for the District of New Hampshire; (2) the Attorney General of the United States; and (3) Michael Astrue, Social Security Administration Commissioner, by certified mail, return receipt requested, the summonses, along with copies of the amended complaint (doc. no. 4) and this Order. See Fed. R. Civ. P. 4(i)(2).

Defendant is instructed to answer or otherwise plead within 60 days of service, see Fed. R. Civ. P. 12(a)(2), and to file

the certified administrative record, in accordance with 42 U.S.C. § 405(g) and LR 9.1.

The parties shall comply with all applicable rules thereafter, including LR 9.1, concerning social security cases filed in this court.

Plaintiff is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendant by delivering or mailing the materials to defendant or defendant's attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

September 12, 2012

cc: Anthony Williams, pro se

LBM:nmd